

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LOUIS DALE,

Petitioner,

v.

ROBERT GILMORE, *et al.*,

Respondents.

CIVIL ACTION
NO. 16-1345

ORDER

AND NOW, this 20th day of February, 2018, upon consideration of the Petition for a Writ of *Habeas Corpus* (ECF No. 1), Respondents' Response in Opposition, (ECF No. 9), the Report and Recommendation of U.S. Magistrate Judge Marilyn Heffley, (ECF No. 16), and Dale's Objections, (ECF No. 26), it is hereby **ORDERED** that:

1. Dale's objections are **OVERRULED** and Magistrate Judge Heffley's Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Dale's Petition for a Writ of *Habeas Corpus* is **DENIED** and **DISMISSED with prejudice**;
3. No certificate of appealability shall issue;¹
4. This case shall be **CLOSED** for statistical purposes.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.

¹ Reasonable jurists would not debate the Court's disposition of petitioner's claims. *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000).